

This Amendment responds to the Office Action mailed January 18, 2007 and to the Examiner's remarks included the Advisory Action mailed April 3, 2007.

The proposed amendments to independent claims 18 and 23 are to emphasize an inherent feature, namely, that the selections being made are processed for purchase to the exclusion of any gift items that are not matched to a recipient. As amended, the method includes steps that differ from the conventional online shopping experience. A single gift item can be matched to an arbitrary number of recipients rather than requiring a one-to-one match up. Furthermore, any gift items in the shopping basket that are not matched to a gift recipient are effectively discarded.

Franklin, by contrast, leaves the conventional online shopping experience largely unchanged. Applicant in an example in a prior submission that:

For instance, if chocolate bonbons are to be sent to ten different people, it **appears** that Franklin et al. requires that ten boxes of bonbons be placed in the virtual shopping cart for matching to recipients.

(Emphasis added.) The Examiner commented in the Advisory Action that Applicant did not provide support for this interpretation of Franklin; however, Applicants were not offering a *subjective* interpretation of Franklin, Applicants interpretation of Franklin et al. is supported by the disclosure of Franklin et al. Specifically, Franklin et al. describe a linked list of product data structures sorted by merchant in order to discover any unpurchased products, and if a product has been purchased already then it is not available for further matching. In other words, a user of Franklin has to fill his shopping basket with precisely what he wants to purchase (e.g., 10 boxes of bonbons, etc.) unlike the claimed method which allows a box of bonbons to be added to a shopping basket or as a gift item and matched with any name in a set of names from an address book.

More specifically, Applicants refer to column 27, lines 14-60 of Franklin et al. and quote as follows:

Then, in a step 1206, the GetFirstItem method 1208 is used to examine a maintained root pointer to the first merchant data structure and to then traverse and examine the linked list of product data structures associated with the first merchant and return the first located unpurchased product. The Flag of each product data structure is examined to determine if the product is already purchased. *If no unpurchased products are discovered in association with the first merchant data structure, the GetFirstItem moves to the next merchant structure in the linked list of merchants.*

\* \* \* \*

Next, in a step 1216, *the list of unpurchased products is displayed to the consumer*, and the consumer is prompted to confirm the purchase request. If, in the step 1216, the consumer confirms the purchase, then the wallet object is loaded in a step 1218. Otherwise, the steps of FIG. 12 are terminated and no purchase occurs.

*With the unpurchased product items in the electronic shopping basket sorted by merchant (e.g. "L.L. Bean" or "Sears"), a step 1220 divides the product items into groups, one group per merchant. A first product group associated with a first merchant is designated for processing. A step 1222 then divides (or sorts) the first group into further subgroups according to the value of the PaymentFriendlyName (e.g., "Gold Card" or "Mary's Amex"). Thus, different orders can be submitted to one merchant, but paid for using different payment sources.*

One having ordinary skill in the art will appreciate that a third subgrouping could be performed such as, for example, a subgrouping based on the value of AddressFriendlyName (e.g., "Grandma's House" or "Alaska Cabin"). *Such an additional subgrouping would conveniently support orders which could be submitted to one merchant, cause payment from different payment sources and assist the merchant in shipping products to different locations. Further, products paid for from the same payment source could conveniently be shipped to different addresses.*

From the excerpt above, and in particular the italicized portions, it is clear that Franklin et al. have the consumer selecting payment and shipment options for each “unpurchased” product and then continue along a linked list of unpurchased products for each merchant until there

Accordingly, reconsideration and allowance are requested.

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